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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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MONTELL ANDRE GARRETT,
Plaintiff,
v.
STATE OF CALIFORNIA, et al.,
Defendants.

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Case No. 17-cv-04666-JST (PR)

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ORDER OF DISMISSAL

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10 On August 21, 2017, plaintiff, proceeding pro se, filed a civil rights complaint pursuant to
11 42 U.S.C. § 1983. On October 23, 2017, the Court dismissed the complaint with leave to amend,
12 explaining the deficiencies in the complaint that needed to be cured. The Court directed plaintiff
13 to file an amended complaint within twenty-eight days. Plaintiff was cautioned that his failure to
14 do so would result in the dismissal of this action. More than twenty-eight days have passed, and
15 plaintiff has not filed an amended complaint.

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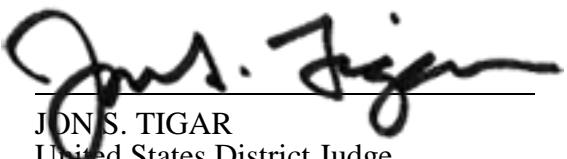
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42 U.S.C. § 1983. On October 23, 2017, the Court dismissed the complaint with leave to amend,
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to file an amended complaint within twenty-eight days. Plaintiff was cautioned that his failure to
do so would result in the dismissal of this action. More than twenty-eight days have passed, and
plaintiff has not filed an amended complaint.
Further, plaintiff has failed to comply with the Court's order to (1) perfect his application
to proceed in forma pauperis ("IFP"), or (2) pay the filing fee. The IFP application is incomplete
because plaintiff failed to file a Certificate of Funds completed and signed by an authorized prison
officer, and a prison trust account statement detailing transactions for the last six months.

Accordingly, the instant action is DISMISSED without prejudice. The Clerk shall
terminate all pending motions, enter judgment, and close the file.

IT IS SO ORDERED.

Dated: January 31, 2018


John S. Tigar
United States District Judge